

**COUNTY OF KAUA'I
PUBLIC ACCESS, OPEN SPACE & NATURAL RESOURCES
PRESERVATION FUND COMMISSION**

**2012
STATUS REPORT
TO THE KAUA'I COUNTY COUNCIL
AND MAYOR BERNARD CARVALHO, JR.**



February 1, 2013

COUNTY OF KAUA'I
PUBLIC ACCESS, OPEN SPACE & NATURAL RESOURCES
PRESERVATION FUND COMMISSION

2012 STATUS REPORT
TO THE KAUA'I COUNTY COUNCIL
AND MAYOR BERNARD CARVALHO, JR.

February 1, 2013

Prepared by:
County of Kaua'i
Public Access, Open Space & Natural Resources
Preservation Fund Commission

Nathaniel Childs, Chair
Joseph Figaroa, Vice Chair
Maurice Nakahara
Linda Dela Cruz
Theodore Blake
John Lydgate
Luke Evslin
Pat Gegen

VACANCIES:
Hanapēpē, 'Ele'ele – Council appointee

Administrative Support:
Planning Department Staff

Summary

The Public Access, Open Space, and Natural Resources Preservation Fund (the “Fund”), was established in 2002 by County Charter Amendment. The Fund receives a minimum of one and one half percent (1.5%) of the County’s annual certified real property taxes. The Fund accumulates and can neither lapse nor be utilized for other purposes. No more than five percent (5%) of the Fund may be used for administrative purposes. Purposes for which the Fund can be used are outlined in the 2002 Charter Amendment.

Status of the Fund

The Fund’s current balance for 2012 is \$1,982,194.00.

2012 Year in Review

Accomplishments

The Commission sees this past year as a paradigm shift as well as an opportunity and a “Call to Action” as cited in its annual 2011 report noting significant changes in the Commission’s role and direction with real measures to improve its effectiveness.

- Passage of Ordinance No. 925
 - Expands the scope of duties of the Commission. Improves the Commission’s operational efficiencies and brings the scope of its duties in alignment with the expectation and needs of the people of Kaua’i. It also gives the Commission the power of advocacy, to serve as a forum for public input, and to assist with the resolution of issues.
 - Provided the Commission to appoint its ninth member.
- Passage of Ordinance No. 936
 - Increases the revenue flow to the Fund from .5% of the annual certified real property taxes to 1.5%.
- The Commission continued to work with representatives of the Koloa Community Association for access to Kukui’ula Bay (Access to Kukui’ula Bay through the Former Hoban Property – Kōloa District).
- Established a dossier process (in the form of an Acquisition Plan) to update and communicate to Council encouraging support to move forward on a proposal from the Commission’s recommendation list.

- Clarified the Commission's role in working with representatives of the proposed Piwai (Omao) Recreation Area (Kōloa District) as well as representatives of the Kaneioluuma Heiau Complex Preservation Area Expansion (Kōloa District).

Challenges

While Commission vacancies continue to be a major challenge, the Commission has been able to manage quorum to keep its current meeting schedule of two (2) meetings per month. Its public input process continues to be another challenge but the Commission continues to strategize with different avenues to engage the public and encourage public participation.

- Commission vacancies (Council).
- Public input process.
- Cooperation of landowners and County/Council.

Future goals and Objectives

Since 2005 the Fund has only purchased one (1) site (Black Pot Beach Park Expansion – Hodge Property). With its new roles, additional fund contribution, acquisition/dossier process the Commission is very hopeful that with these processes and communication with Council success is eminent.

- **Goals:**
 - Acquiring more lands for public access.
 - Acquiring more lands for preservation.
 - Improve public input process.
 - Address unresolved public access issues.
- **Objectives:**
 - Continue discussion on Salt Pond Beach Park Expansion (Mauka and West) and whether a buffer area for protection of Hanapepe Salt Pans could be acquired (Waimea District).
 - Work with the Planning Department and County Attorney's Office to pursue and enforce access to eastern Kauapea Beach.

- Investigate issues relative to Council Resolution No. 2012-59 concerning current access to Papa'a Bay and determine whether it would be feasible to open an additional beach access in conjunction with current accesses from the State lot from the West and County easement from the East.
- Continue discussions and communication between Council and the Commission.

Recommendations:

Due to the passage of Ordinance No. 925 and the expanded role of the Commission, we are engaged in identifying properties for acquisition and will be submitting recommendations in the biennial report.